

HOUSE No. 123

The Commonwealth of Massachusetts

PRESENTED BY:

Garrett J. Bradley

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act bettering the lives of youth who age out of the care of the Commonwealth.

PETITION OF:

NAME:

Garrett J. Bradley

DISTRICT/ADDRESS:

3rd Plymouth

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT BETTERING THE LIVES OF YOUTH WHO AGE OUT OF THE CARE OF THE COMMONWEALTH.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Whereas every year approximately 600 youth age out of the state custody, it shall be the policy of this Commonwealth to ensure these youth leave with five core resources, (1) on-going, nurturing relationships with adults and positive relationships with peers, (2) safe and stable places for living, learning, working, and playing, (3) values, skills, opportunities, and supports that promote optimal physical and mental health, (4) educational preparation and economic opportunity, and (5) opportunities to make a difference through community service and civic participation.

1 SECTION 1. Section 52 of Chapter 15 of the General Laws, is hereby amended by inserting in
2 the second sentence of the first paragraph after the words "basic skills" the following words:-
3 "high concentrations of students in foster care."

4 SECTION 2. Said section 52, is hereby further amended after the third paragraph by adding, the
5 following paragraph:- "Financial support for schools would require said district to employ or
6 share a professional position of a foster care liaison whose responsibilities would include but, not
7 be limited to, providing information and support for all public and private resources available for
8 foster care students."

9 SECTION 3: Section 19 of chapter 15A of the General Laws, as most recently amended in
10 section 22 of chapter 176 of the acts of 2008, is hereby amended in the ninth paragraph by
11 inserting after the word "families" the following words:- " , including a child in need of services
12 as defined in Section 21 of Chapter 119 of the General Laws,".

13 SECTION 4. Section 9A of chapter 118E of the General Laws, is hereby amended in clause
14 (2)(c) by adding at the end thereof, the following words:- "and provided further, that children
15 who have aged out of the custody of the department of children and families shall be eligible for
16 these benefits until they reach age 21".

17 SECTION 5. Section 23 of chapter 119 of the General Laws, is hereby amended by inserting
18 after the second sentence in of clause (3)(iv), the following sentence:- “If a child is in the care of
19 the department and receiving services from the department of mental health, and continues to be
20 eligible for services from the department after reaching the age of 18 as allowed under clause
21 (7)(f) of this Section, that child shall continue to receive services from the department of mental
22 health until the child is no longer in the care of the department.”

23 SECTION 6. Said Section 23 is further amended by inserting in the first sentence of clause
24 (7)(e), at the end, the words:- “and any schools the child attends as a result of that placement or
25 transfer.”

26 SECTION 7. Said Section 23 is further amended in subsection (f) by inserting at the end of
27 clause (7)(f)(ii), the sentence:- “Notwithstanding, when a person requests that the department
28 renew its responsibility, a presumption of eligibility shall be in effect for ninety days.”

29 SECTION 8. Section 26 of said chapter is hereby amended in subsection (b) by inserting at the
30 end thereof the following clause:- (6) The court may order sibling visitations as part of adoption
31 decrees and care and custody orders.”

32 SECTION 9. Section 29B of said chapter hereby amended by striking out the second appearance
33 of the figure “12” in the first paragraph, and inserting in place thereof the following figure:- “6”.

34 SECTION 10. Said section 29B is further amended in the second sentence by inserting at the
35 end thereof the following words:- “; (6) the child’s preferred placement”.

36 SECTION 11. Said section 29B is further amended in the first paragraph by adding at the end
37 thereof, the following sentence:- “However, where appropriate the court may require the child’s
38 attendance and participation.”

39 SECTION 12. Said section 29B is further amended in the second paragraph by adding at the end
40 thereof, the following sentence:- “However, before the child reaches their eighteenth birthday,
41 the child along with their attorney shall have the opportunity to negotiate the details of the
42 services they desire to receive after the age of 18.”

43 SECTION 13. Section 38 of said chapter is hereby amended by inserting after the first sentence,
44 the following sentence:- “However, the court shall collect and report data on permanency
45 hearings annually.”